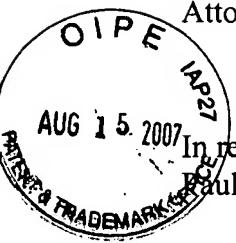


PATENT APPLICATION  
Attorney Docket No. 040049

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: : Confirmation No. 4373  
Paul D. Hanke :  
Appl. No.: 10/771,695 : Art Unit: 1656  
: Examiner: Alexander D. Kim  
Filed: February 4, 2004 : Atty. Docket: 040049  
Title (as amended): Polynucleotides Encoding a Truncated ORF2 From Corynebacterium

**RESPONSE TO NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This paper is filed as a Response to the Non-Final Official Action mailed on May 15, 2007, and having a shortened statutory period for reply of August 15, 2007. This response is timely without the need for an amendment. If an extension is necessary, kindly grant one and deduct the fee for same from Deposit Account No. 02-4800, in the name of Buchanan Ingersoll PC.

Entry of the amended claims and amendments to the specification, as well as reconsideration and allowance of all claims are respectfully requested.

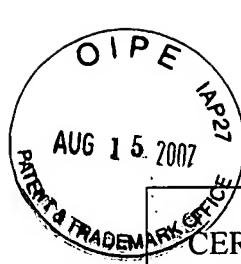
Amendments to the claims are presented in the **Listing of Claims**, beginning on page 2.

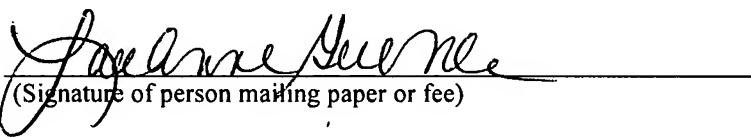
**Amendments to the Specification** begin on page 4.

**Amendments to the Figures** are discussed on page 5.

**Remarks** begin on page 6.

The **Conclusion** begins on page 8.



CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 - SEPARATE PAPER		ATTORNEY'S DOCKET NO. <b>040049</b>
IN RE APPLICATION OF <b>Paul D. Hanke</b>		
Serial No. <b>10/771,695</b>	Filed <b>February 4, 2004</b>	
FOR <b>Polynucleotides Encoding a Truncated ORF2 from Corynebacterium</b>		
GRP. ART UNIT <b>1656</b>	EXAMINER <b>Alexander D. Kim</b>	
"Express Mail" mailing label number		<b>EM 028137525 US</b>
Date of deposit:		<b>August 15, 2007</b>
<p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p>		
<p>LouAnne Guerra (Typed or printed name of person mailing paper or fee)</p>		
 (Signature of person mailing paper or fee)		